SDNY-WP (Rev. 12/21) AO 98 (Rev. 12/11) Appearance Bond

# UNITED STATES DISTRICT COURT

	for the
	Southern District of New York
	United States of America  v.  Conor Fitzpatrick  Defendant  Defendant  )  Case No. 23mj2171
	APPEARANCE BOND
	Defendant's Agreement
I, court that c	Conor Fitzpatrick (defendant), agree to follow every order of this court, or any onsiders this case, and I further agree that this bond may be forfeited if I fail:  ( X ) to appear for court proceedings;  ( X ) if convicted, to surrender to serve a sentence that the court may impose; or  ( X ) to comply with all conditions set forth in the Order Setting Conditions of Release.
	Type of Bond
(×)(l)	This is a personal recognizance bond.
( X ) (2)	This is an unsecured bond of $\frac{$300,000.00}{}$ . ( $\times$ ) Cosigned by $\frac{2}{}$ FRP. Defendants parents by COE $\frac{3}{20}/23$
( ) (3)	This is a secured bond of, secured by:
(	) (a), in cash deposited with the court.
(	) (b) the agreement of the defendant and each surety to forfeit the following cash or other property (describe the cash or other property, including claims on it—such as a lien, mortgage, or loan—and attach proof of ownership and value):
	If this bond is secured by real property, documents to protect the secured interest may be filed of record.
(	) (c) a bail bond with a solvent surety (attach a copy of the bail bond, or describe it and identify the surety):
(	) (d) Cosigned by FRP.

# Forfeiture or Release of the Bond

Forfeiture of the Bond. This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

Release of the Bond. The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

#### **Declarations**

Ownership of the Property. I, the defendant - and each surety - declare under penalty of perjury that:

- (1) all owners of the property securing this appearance bond are included on the bond;
- (2) the property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

Acceptance. I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond.

I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

Date:03/16/2023	- Cood Lite Patricia		
	Defendant's Signature Conor Fitzpatrick		Interpreter Initials
MARK FAZPATRICK	March Illa		manais
Surely/property owner - printed name	Surety/property owner-signature and date	Diputy Clerk's	Interpreter
MARYANN MCARRA-FITZPATRICK	Mayor Mi Canoft pl		! Initials
Surety/property owner - printed name	Surety/property owner - signature and date	Defluty Clerk's Initials	Interpreter Initials
		minas	mais
Surety/property owner - printed name	Surety/property owner - signature and date	– Deputy Clerk's Initials	Interpretei Initials
	CLERK OF COURT		
Date: 03/16/2023			
<del></del>	Signature of Deputy Clerk		
Approved.			
Date: 03/16/2023	s/PED		
Duto	Judicial Officer's Signature		

Hon. Paul E. Davison, U.S. Magistrate Judge

Printed Name and Title

# UNITED STATES DISTRICT COURT

for the

Southern District of New York

	United States of America v.  Conor Fitzpatrick  Defendant  ORDER SETTING CO	) ) ) )		23mj2171
TT I	IS ORDERED that the defendant's release is subject to			GDEAGE
11 16	18 ORDERED that the detendant's release is subject to	HICSC (	onamons.	
(1)	The defendant must not violate federal, state, or local	l law w	hile on release	
(2)	The defendant must cooperate in the collection of a DNA sample if it is authorized by 34 U.S.C. § 40702.			
(3)	The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.			
(4)	The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that			
	the court may impose.			
	The defendant must appear at: Easter District of V	ʻirginia		
	• • • • • • • • • • • • • • • • • • •		Pl	ace
	on 3/2	24/202	3 12:00 pm	

Date and Time

If blank, defendant will be notified of next appearance.

(5) The defendant must sign an Appearance Bond, if ordered.

AO 199B (Rev. 12/20) Additional Conditions of Release

Conor Fitzpatrick

23mj2171

# ADDITIONAL CONDITIONS OF RELEASE

Pursuant to 18 U.S.C. § 3142(c)(1)(B), the court may impose the following least restrictive condition(s) only as necessary to reasonably assure the appearance of the person as required and the safety of any other person and the community.

	IT IS	FUR	RTHER ORDERED that the defendant's release is subject to the co	nditions marked below:			
( )	(6)	The	e defendant is placed in the custody of:				
		Pers	son or organization				
		Add	dress (only if above is an organization)	41999			
			y and state	Tel.			
who a	grees	to (a	a) supervise the defendant, (b) use every effort to assure the de	fendant's appearance at all co	ourt proceeding	gs, and (c) i	notify the court
immed	liately	if the	ne defendant violates a condition of release or is no longer in the cu	stodian's custody.			
			Signed:				
				Custodian			Date
<b>(V</b> )	(7)	The	e defendant must:				
\ <u></u> /	( <b>[</b> ( <b>[(((((((((</b>		submit to supervision by and report for supervision to the PRE	TRIAL SERVICES FOR	Regular;	Strict;	✓ As Directed
	`	` '	telephone number, no later than			AT/T	
	( <b>□</b> )	(b)	continue or actively seek employment.				
			continue or start an education program.				
	$(\overline{\checkmark})$	(d)	surrender any passport to: PRETRIAL SERVICES				
	$(\overline{\square})$	(e)	not obtain a passport or other international travel document.	***************************************			
			abide by the following restrictions on personal association, reside	ence, or travel: SDNY/EDN	1A		
	-		and the Eastern District of Virginia for court appearances				
	$(\boxed{4})$	(g)	avoid all contact, directly or indirectly, with any person who is o	may be a victim or witness in	the investigat	ion or prosec	cution,
			including: No contact with victims or witnesses in this investigation No co	ntact with codefendants or coconsp	irators in this inve	stigation	
				and the first of t			
	$(\boxed{V})$	(h)	get medical or psychiatric treatment:  Mental health evaluation a	nd treatment as directed by Pretrial	Services		W0.75
					5.1.1.6	1	
	(LL)	(i)		being released at	— o clock for	employmen	nt, schooling,
			or the following purposes:	*****			
	/ <u></u> \	(3)	maintain residence at a halfway house or community corrections	center as the pretrial services	office or super	vising office	er considers
	()	(j)	necessary.	center, as the pretrial services	office of super	rianig office	or communication
	( <u> </u>	(b)	not possess a firearm, destructive device, or other weapon.				
	H		not use alcohol ( ) at all ( ) excessively.				
	(片)	(1) (m)	) not use or unlawfully possess a narcotic drug or other controlled	substances defined in 21 U.S	S.C. 8 802, unle	ess prescribe	ed by a licensed
		(111)	medical practitioner.	, buoblance, dermed in all of	, , , , , , , , , , , , , , , , , , , ,		,
	$(\Box)$	(n)	submit to testing for a prohibited substance if required by the p	retrial services office or supe	rvising officer.	Testing ma	ay be used with
	· 🗀 ′	()	random frequency and may include urine testing, the wearing	of a sweat patch, a remote a	cohol testing s	system, and/	or any form of
			prohibited substance screening or testing. The defendant must no	t obstruct, attempt to obstruct,	or tamper with	the efficien	cy and accuracy
			of prohibited substance screening or testing.				
	$(\square)$	(0)		use therapy and counseling if	directed by th	e pretrial se	rvices office or
	_		supervising officer.				
	(Ш)	(p)	participate in one of the following location restriction programs a	and comply with its requireme	nts as directed.	O.C.	(
			( ) (i) Curfew. You are restricted to your residence every dedirected by the pretrial services office or supervising	officer or	10	, , 01	( 🗀 ) 🖽
			( ) (ii) Home Detention. You are restricted to your reside	nce at all times except for e	mplovment; ed	lucation; reli	igious services;
			medical, substance abuse, or mental health treatmen	: attorney visits; court appear	rances; court-o	rdered oblig	ations; or other
			activities approved in advance by the pretrial services	office or supervising officer;	or		
			( ) (iii) Home Incarceration. You are restricted to 24-hour-s	<ul> <li>-day lock-down at your reside</li> </ul>	nce except for	medical nec	essities and
			court appearances or other activities specifically appr	oved by the court; or			
			( ) (iv) Stand Alone Monitoring. You have no residential cu	rfew, home detention, or hom	e incarceration	restrictions.	. However,
			you must comply with the location or travel restrictio	ns as imposed by the court.	- Canc	'\ t	
			Note: Stand Alone Monitoring should be used in con	unction with global positionir	ig system (GPS	o) technology	у.

AO 199B (Rev. 12/20) Additional Conditions of Release

Conor Fitzpatrick

23mj2171

#### ADDITIONAL CONDITIONS OF RELEASE

(□) (q)	submit to the following location monitoring technology and comply with its requirements as directed:  (
( (r)	pay all or part of the cost of location monitoring based upon your ability to pay as determined by the pretrial services or supervising officer.
( (s)	report as soon as possible, to the pretrial services or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
(V) (t)	

## \$300,000.00 PRB

To be cosigned by 2 FRP (defendant's parents) by COB Monday 3/20/23

Pretrial Services supervision as directed

Travel restricted to the Southern and Eastern Districts of New York and Eastern District of Virginia for court/attorney purposes, with prior notification to Pretrial Services.

Surrender travel documents/Make no applications for travel documents

Mental health evaluation & treatment as directed by Pretrial Services

No contact with victims or witnesses in this investigation

No contact with codefendants or coconspirators in this investigation

Not to possess the personal identification information of others, including at any place of employment

Not to open any new lines of credit, bank accounts, cryptocurrency accounts and credit cards without prior approval from Pretrial Services

Maintain or actively seek employment and/or enroll in an educational/vocational program

Refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C.

802, unless prescribed by a licensed medical practitioner

Shall not access the BreachForum website.

Shall have no knowing contact with BreachForum users or co-conspirators unless supervised by counsel.

Defendant is to appear in the Eastern District of Virginia on March 24, 2023 by noon.

Defense Counsel Name: Ben Gold

Defense Counsel Telephone Number: 914-355-8077

Defense Counsel Email Address: Ben\_Gold@fd.org>

#### ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT: Conor Fitzpatrick

Case No. 23mj2171

U.S. MARSHAL

### YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (i.e., in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

#### Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

Date: <u>03/16/2023</u>	Defendant's Signature Conor Fitzpatrick				
✓ DEFENDANT RELEASED	City and State				
Directions to the United States Marshal					
<ul> <li>( / ) The defendant is ORDERED released after</li> <li>( ) The United States marshal is ORDERED to has posted bond and/or complied with all of the appropriate judge at the time and place states.</li> </ul>	keep the defendant in custody until notified by the clerk or judge that the defendant her conditions for release. If still in custody, the defendant must be produced before				
Date: 3/16/2023	s/PED				
	Judicial Officer's Signature				
	Hon. Paul E. Davison, U.S. Magistrate Judge				
	Printed Name and Title				

PRETRIAL SERVICE U.S. ATTORNEY

DEFENDANT

DISTRIBUTION: COURT

